

Appl. No. 09/301,885
Amdt. dated February 18, 2005
Reply to final Office action of December 22, 2004

REMARKS/ARGUMENTS

Applicant has received the final Office Action dated December 22, 2004, in which the Examiner: (1) rejected claims 1-3, 7, 9-11, 13, 15, 20-23 and 29-30 under 35 U.S.C. § 103 as being obvious over Shan (U.S. Pat. No. 5,325,525) in view of Williams (U.S. Pat. No. 6,411,982); (2) rejected claims 4, 6, 12 and 16-17 as obvious over Shan in view of Williams and Billups (U.S. Pat. No. 6,173,246); (3) allowed claims 24 and 27-28; and (4) objected to claims 5, 8, 14 and 18-19 as being dependent upon rejected base claims, but otherwise allowable. With this Response, Applicant amends the claims per the suggestions of the Examiner and submits new claims to focus on the subject matter that the Examiner concluded was patentable. None of the amendments raise new issues of patentability, nor require additional searching.

Independent claims 1 and 15 have been amended to include the limitations from allowable dependent claims 5 and 18, respectively. As a consequence of the amendments to claims 1 and 15, dependent claims 3, 5, and 18 have been canceled, and claims 4, 7, and 14 have been amended. Claim 8 was amended merely to correct a grammatical error.

Further, Applicant added a limitation to independent claim 20. The added limitation that the "user specified criteria comprise a maximum number of CPUs to be used per machine to execute processes" was previously in dependent claim 5 which the Examiner concluded was allowable. Thus, at least for the same reason as the Examiner concluded claim 5 was allowable, the Examiner should now find that claim 20 is allowable.

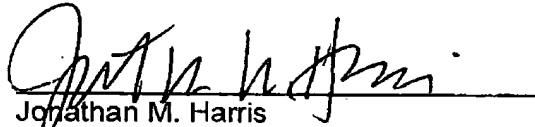
The newly added independent claims 31, 34, and 37 focus on the subject matter from dependent claims 8, 14, and 19, which the Examiner concluded contained allowable subject matter. Thus, at least for the same reasons that the Examiner concluded claims 8, 14, and 19 were allowable, the Examiner should now find that claims 31-38 are allowable.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents

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accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,


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